

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GLENN STORMAN,

Plaintiff,

- against -

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.  
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**NOTICE OF MOTION**

Docket No. 07 Civ. 5797 (SHS)

PLEASE TAKE NOTICE that, upon the annexed declaration of Daniel Chiu, dated August 16, 2007, the exhibits annexed thereto, and upon all the prior proceedings had herein, defendant New York City Department of Education ("DOE" or "Defendant"), by its attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, will move this Court, before the Honorable Sidney H. Stein, United States District Court Judge for the Southern District of New York, 500 Pearl Street, New York, New York, on such day when counsel may be heard, for an order pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure for judgment in Defendant's favor dismissing all claims of plaintiff and for such other and further relief as to the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the August 16, 2007 Order of the Court, answering papers, if any, are to be served on or before September 28, 2007.

Dated: New York, New York  
August 16, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendant  
100 Church Street, Room 2-170  
New York, New York 10007  
212-788-1158

By: 

Daniel Chiu (DC-3381)  
Assistant Corporation Counsel

To: John C. Klotz, Esq.  
Attorney for Plaintiff  
350 Fifth Avenue, Suite 4810  
New York, New York 10118  
212-630-2600

**CERTIFICATION OF SERVICE**

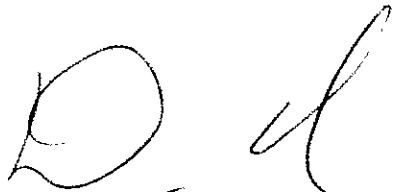
I, Daniel Chiu, hereby certify that:

On August 16, 2007, I served the annexed Notice of Motion by depositing a true and correct copy, into the custody of United States Postal Service, in an enclosed envelope with sufficient postage for first-class mail addressed to:

John C. Klotz, Esq.  
Attorney for Plaintiff  
350 Fifth Avenue, Suite 4810  
New York, New York 10118

I certify under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
August 16, 2007

  
\_\_\_\_\_  
Daniel Chiu